

**APPLICATION****DEVELOPMENT SPECIAL USE PERMIT with SITE PLAN**
DSP # DSUP 2006-0023 (A) **Project Name:** Edmonson Plaza
PROPERTY LOCATION: 1701 Duke Street
TAX MAP REFERENCE: 073.02-02-18
ZONE: OCH
APPLICANT:
Name: 1701 Duke Street, LLC
Address: 1776 Eye Street, NW, Suite 500, Washington, DC 20006
PROPERTY OWNER:
Name: 1701 Duke Street, LLC
Address: 1776 Eye Street, NW, Suite 500, Washington, DC 20006
SUMMARY OF PROPOSAL Request for an increase in the allowable office use from 50% to 80% on the first floor.
MODIFICATIONS REQUESTED _____

SUPs REQUESTED _____

☒ **THE UNDERSIGNED** hereby applies for Development Site Plan with Special Use Permit approval in accordance with the provisions of Section 11-400 of the Zoning Ordinance of the City of Alexandria, Virginia.

☒ **THE UNDERSIGNED**, having obtained permission from the property owner, hereby grants permission to the City of Alexandria to post placard notice on the property for which this application is requested, pursuant to Article XI, Section 11-301 (B) of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

☒ **THE UNDERSIGNED** also attests that all of the information herein provided and specifically including all surveys, drawings, etc., required of the applicant are true, correct and accurate to the best of his/her knowledge and belief.

Kenneth W. Wire, Esquire, Agent
Print Name of Applicant or Agent
McGuireWoods LLP, 1750 Tysons Boulevard, Suite 1800
Mailing/Street Address
McLean, VA 22102
City and State **Zip Code**
Signature
(703) 712-5362
(703) 712-5222
Telephone #
Fax #
kwire@mcguirewoods.com
Email address
January 26, 2011
Date
DO NOT WRITE IN THIS SPACE - OFFICE USE ONLY
Application Received: _____

Received Plans for Completeness: _____

Fee Paid and Date: _____

Received Plans for Preliminary: _____

ACTION - PLANNING COMMISSION: _____

ACTION - CITY COUNCIL: _____

ALL APPLICANTS MUST COMPLETE THIS FORM.

Supplemental forms are required for child care facilities, restaurants, automobile oriented uses and freestanding signs requiring special use permit approval.

1. The applicant is: (check one)

☒ the Owner [] Contract Purchaser [] Lessee or [] Other: _____ of the subject property.

State the name, address and percent of ownership of any person or entity owning an interest in the applicant, unless the entity is a corporation or partnership in which case identify each owner of more than ten percent.

Columbia Equity, LP 100%

c/o 1701 Duke Street, LLC

1776 Eye Street, NW, Suite 500

Washington, DC 20006

If property owner or applicant is being represented by an authorized agent, such as an attorney, realtor, or other person for which there is some form of compensation, does this agent or the business in which the agent is employed have a business license to operate in the City of Alexandria, Virginia?

[] **Yes.** Provide proof of current City business license.

[] **No.** The agent shall obtain a business license prior to filing application, if required by the City Code.

OWNERSHIP AND DISCLOSURE STATEMENT

Use additional sheets if necessary

1. Applicant. State the name, address and percent of ownership of any person or entity owning an interest in the applicant, unless the entity is a corporation or partnership, in which case identify each owner of more than ten percent. The term ownership interest shall include any legal or equitable interest held at the time of the application in the real property which is the subject of the application. See attached disclosure statement.

Name	Address	Percent of Ownership
1. Columbia Equity, LP	1776 Eye Street, NW, Suite 500 Washington, DC 20006	100%
2.		
3.		

2. Property. State the name, address and percent of ownership of any person or entity owning an interest in the property located at 1701 Duke Street (address), unless the entity is a corporation or partnership, in which case identify each owner of more than ten percent. The term ownership interest shall include any legal or equitable interest held at the time of the application in the real property which is the subject of the application.

Name	Address	Percent of Ownership
1. Columbia Equity, LP	1776 Eye Street, NW, Suite 500 Washington, DC 20006	100%
2.		
3.		

3. Business or Financial Relationships. Each person or entity listed above (1 and 2), with an ownership interest in the applicant or in the subject property is required to disclose **any** business or financial relationship, as defined by Section 11-350 of the Zoning Ordinance, existing at the time of this application, or within the 12-month period prior to the submission of this application with any member of the Alexandria City Council, Planning Commission, Board of Zoning Appeals or either Boards of Architectural Review.

Name of person or entity	Relationship as defined by Section 11-350 of the Zoning Ordinance	Member of the Approving Body (i.e. City Council, Planning Commission, etc.)
1. NONE		
2.		
3.		

NOTE: Business or financial relationships of the type described in Sec. 11-350 that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings.

As the applicant or the applicant's authorized agent, I hereby attest to the best of my ability that the information provided above is true and correct.

1/26/11
Date

Kenneth W. Wire, Esquire, Agent
Printed Name


Signature

Alexandria City Council

William Euille, Mayor
Kerry Donely, Vice Mayor
Frank Fannon IV
Alicia Hughes
Rob Krupicka
Redella "Del" Pepper
Paul Smedberg

Planning Commission

John Komoroske, Chair
H. Stewart Dunn, Vice Chair
Donna Fossum
J. Lawrence Robinson
Mary Lyman
Jesse Jennings
Eric Wagner

Board of Zoning Appeals

Harold Curry, Chair
Mark Allen, Vice Chair
Geoffrey Goodale
David Lantzy
Jennifer Lewis
Eric Zander
John Keegan

**Board of Architectural Review
Old and Historic District**

Thomas Hulfish, Chair
Oscar Fitzgerald, Vice Chair
Arthur Keleher
Wayne Neale
Peter Smeallie
James Spencer
John Von Senden

**Board of Architectural Review
Parker-Gray District**

William Conkey, Chair
Deborah Rankin, Vice Chair
Christina Kelley
H. Richard Lloyd, III
Robert Duffy
Douglas Meick
Philip Moffat

Updated 5/1/2010

Definition of business and financial relationship.

Section 11-305 of the Zoning Ordinance defines a business or financial relationship as any of the following:

- (1) a direct one;
- (2) by way of an ownership entity in which the member or a member of his immediate household is a partner, employee, agent or attorney;
- (3) through a partner of the member or a member of his immediate household;
- (4) through a corporation in which any of them is an officer, director, employee, agent or attorney or holds 10 percent or more of the outstanding bonds or shares of stock of a particular class. In the case of a condominium, this threshold shall apply only if the applicant is the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium;
- (5) not as an ordinary customer or depositor relationship with a professional or other service provider, retail establishment, public utility or bank, which relationship shall not be considered a business or financial relationship;
- (6) created by the receipt by the member, or by a person, firm, corporation or committee on behalf of the member, of any gift or donation having a value of more than \$100, singularly or in the aggregate, during the 12-month period prior to the hearing on the application from the applicant.

- See attached.

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

The Applicant requests an increase in the allowable first floor office space in the building from 50% allocation to 80%. This request is necessary and appropriate due to: i) the lack of demand for retail space in the Carlyle/King Street Station area; and ii) the continued demand for traditional office use in the building.

Over the past couple of years the King Street Station/Carlyle area of the Alexandria has seen very limited market demand for retail space. Only a half dozen or so new retail leases have been signed and a few of these new uses have already closed their businesses. The adjacent King Street Station complex has seen the majority of retail space along Duke Street remain unleased for almost three years, and the former restaurant space at King III has remained vacant for over two years.

At 1701 Duke Street the entire 15,000 square foot first floor retail space remains vacant and has generated little to no interest from retail users throughout construction and since the building was delivered in December of 2009. In addition, the minimal interest that was generated was for smaller, quick casual food service options, typically not larger than 3,000 square feet.

An increase in the allowable portion of the first floor area that may be used for office tenants to 80% would still leave approximately 3,000 square feet of space for a retail or restaurant use at the front of the building facing the public plaza.

1701 Duke has seen very strong demand for office space and 90% of the office portion of the building is currently leased, with only a couple small, under 6,000 SF suites available. A 10,000 square foot office user has expressed an interest in a portion of the first floor space and the Applicant is close to finalizing terms, pending approval of this application. Without approval of this application, the Applicant will be unable to finalize this transaction. It is in the best interests of the City and the other tenants in the building to ensure that the first floor space becomes occupied as soon as possible.

3. How many patrons, clients, pupils and other such users do you expect?

Specify time period (i.e., day, hour, or shift).

N/A

4. How many employees, staff and other personnel do you expect?

Specify time period (i.e. day, hour, or shift).

N/A

5. Describe the proposed hours and days of operation of the proposed use:

Day	Hours	Day	Hours
N/A			

6. Describe any potential noise emanating from the proposed use:

- A. Describe the noise levels anticipated from all mechanical equipment and patrons.

N/A

- B. How will the noise from patrons be controlled?

N/A

7. Describe any potential odors emanating from the proposed use and plans to control them:

N/A

8. Provide information regarding trash and litter generated by the use:

A. What type of trash and garbage will be generated by the use?

N/A

B. How much trash and garbage will be generated by the use?

N/A

C. How often will trash be collected?

N/A

D. How will you prevent littering on the property, streets and nearby properties?

N/A

9. Will any hazardous materials, as defined by the state or federal government, be handled, stored, or generated on the property?

☐ Yes. ☐ No.

If yes, provide the name, monthly quantity, and specific disposal method below:

N/A

10. Will any organic compounds (for example: paint, ink, lacquer thinner, or cleaning or degreasing solvent) be handled, stored, or generated on the property?

☐ Yes. ☐ No.

If yes, provide the name, monthly quantity, and specific disposal method below:

N/A

11. What methods are proposed to ensure the safety of residents, employees and patrons?

N/A

ALCOHOL SALES**12. Will the proposed use include the sale of beer, wine or mixed drinks?**☐ **Yes.** ☐ **No.**

If yes, describe alcohol sales below, including if the ABC license will include on-premises and/or off-premises sales. Existing uses must describe their existing alcohol sales and/or service and identify any proposed changes in that aspect of the operation.

N/A

PARKING AND ACCESS REQUIREMENTS**13. Provide information regarding the availability of off-street parking:**

- A. How many parking spaces are required for the proposed use pursuant to section 8-200 (A) of the zoning ordinance?

N/A

- B. How many parking spaces of each type are provided for the proposed use: The Applicant requests an increase +
- | | |
|--|-------------------------------|
| | Standard spaces |
| | Compact spaces |
| | Handicapped accessible spaces |
| | Other |

- C. Where is required parking located? (check one) ☐ **on-site** ☐ **off-site**

If the required parking will be located off-site, where will it be located?

N/A

Pursuant to section 8-200 (C) of the zoning ordinance, commercial and industrial uses may provide off-site parking within 500 feet of the proposed use, provided that the off-site parking is located on land zoned for commercial or industrial uses. All other uses must provide parking on-site, except that off-street parking may be provided within 300 feet of the use with a special use permit.

- D. If a reduction in the required parking is requested, pursuant to section 8-100 (A) (4) or (5) of the zoning ordinance, complete the **Parking Reduction Supplemental Application**.

14. Provide information regarding loading and unloading facilities for the use:

- A. How many loading spaces are required for the use, per section 8-200 (B) of the zoning ordinance? N/A
- B. How many loading spaces are available for the use? N/A
- C. Where are off-street loading facilities located? N/A
- D. During what hours of the day do you expect loading/unloading operations to occur? N/A
- E. How frequently are loading/unloading operations expected to occur, per day or per week, as appropriate? N/A

15. Is street access to the subject property adequate or are any street improvements, such as a new turning lane, necessary to minimize impacts on traffic flow?

N/A